

AO 440 (Rev. 12/09) Summons in a Civil Action

UNITED STATES DISTRICT COURT

for the

Southern District of New York

JODY KRISS and MICHAEL CHU'DI EJEKAM,

*Plaintiff*

v.

ELLIOT PISEM

*Defendant*

Civil Action No. 10 CV 3959 (LGS) (FM)

AMENDED SUMMONS IN A CIVIL ACTION

To: *(Defendant's name and address)* ELLIOT PISEM  
ROBERTS & HOLLAND LLP  
Worldwide Plaza  
825 Eighth Avenue  
New York, NY 10019-7498  
(212) 903-8700

A lawsuit has been filed against you.

Within 21 days after service of this summons on you (not counting the day you received it) — or 60 days if you are the United States or a United States agency, or an officer or employee of the United States described in Fed. R. Civ. P. 12 (a)(2) or (3) — you must serve on the plaintiff an answer to the attached complaint or a motion under Rule 12 of the Federal Rules of Civil Procedure. The answer or motion must be served on the plaintiff or plaintiff's attorney, whose name and address are:

Bradley D. Simon, Esq.  
Simon & Partners LLP  
551 Fifth Avenue, 31st Floor  
New York, NY 10176  
(212) 332-8900  
bradsimon@simonlawyers.com

If you fail to respond, judgment by default will be entered against you for the relief demanded in the complaint. You also must file your answer or motion with the court.

CLERK OF COURT

Date: 11/23/2015



/s/ M. Oh

Signature of Clerk or Deputy Clerk

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**PROOF OF SERVICE***(This section should not be filed with the court unless required by Fed. R. Civ. P. 4 (l))*

This summons for *(name of individual and title, if any)* Elliot Pisem  
was received by me on *(date)* December 3, 2015.

☐ I personally served the summons on the individual at *(place)* \_\_\_\_\_  
\_\_\_\_\_ on *(date)* \_\_\_\_\_; or

☐ I left the summons at the individual's residence or usual place of abode with *(name)* \_\_\_\_\_  
\_\_\_\_\_, a person of suitable age and discretion who resides there,  
on *(date)* \_\_\_\_\_, and mailed a copy to the individual's last known address; or

☐ I served the summons on *(name of individual)* \_\_\_\_\_, who is  
designated by law to accept service of process on behalf of *(name of organization)* \_\_\_\_\_  
\_\_\_\_\_ on *(date)* \_\_\_\_\_; or

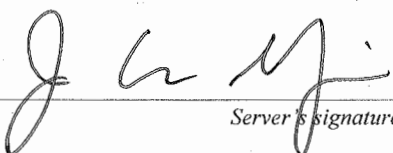
☐ I returned the summons unexecuted because \_\_\_\_\_; or

☒ Other *(specify)*: I served the summons on John Brewer, Esq., STORCH AMINI & MUNVES PC on  
December 8, 2015. Elliot Pisem has agreed that Mr. Brewer, counsel for Mr. Pisem, may  
accept personal service on his behalf.

My fees are \$ \_\_\_\_\_ for travel and \$ \_\_\_\_\_ for services, for a total of \$ 0.00.

I declare under penalty of perjury that this information is true.

Date: December 8, 2015

  
\_\_\_\_\_  
*Server's signature*

J. Evan Shapiro

\_\_\_\_\_  
*Printed name and title*

551 Fifth Avenue

31st Floor

New York, NY 10176

\_\_\_\_\_  
*Server's address*

Additional information regarding attempted service, etc: